

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

**JAN 09 2006**

VENETIAN CASINO RESORT, L.L.C.,

Plaintiff - Appellant,

v.

EXXON MOBIL CORPORATION,

Defendant - Appellee.

No. 04-15907

D.C. No. CV-03-00320-JCM/PAL

ORDER \*

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

Appeal from the United States District Court  
for the District of Nevada  
James C. Mahan, District Judge, Presiding

Argued and Submitted December 6, 2005  
San Francisco, California

Before: TROTT, T.G. NELSON, and PAEZ, Circuit Judges.

The judgment of the district court is **AFFIRMED** for the reasons set forth in  
the order of the district court filed March 25, 2004.

**IT IS SO ORDERED.**

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\* This disposition is not appropriate for publication and may not be cited  
to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.